GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegations of irregularities in execution of works under NREGS Scheme taken up in plain areas of Visakhapatnam District – Disciplinary proceedings against Sri R.K.Bhaskar, DEE, PRI Division, Anakapalli under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Orders - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT(VIG.I) DEPARTMENT

G.O.Rt.No.679 **Dated.11.07.2016.**

Read the following:

1. DG, GA (V&E) Department, Vigilance Report No.32 (C.No.685/V&E/E2/2013), Dt.27.11.2014.

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ORDER:-

It is proposed to hold an inquiry against Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services(Conduct) Rules, 1964.

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7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli, **through** Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Hyderabad.
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Hyderabad (with a request to serve the charges to the individual and furnish a served copy to Government).
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

Annexure – I

Statement showing the article of charges framed against Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli

Charge-1

That Sri R.K.Bhaskar, Deputy Executive Engineer has involved in allegations of irregularities in execution of following three works by check measured inferior quality of item without conducting any quality check and forwarded fabricated musters of purchase bills for payment and also allowed contractors in execution of NREGS works.

1. Providing CC roads & drains at Tatituru
2. Road from BN road to Gudilova
3. Road from Anantavaram-Alamanda R&B road to Tunipolam

By his above mentioned act, Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-II

Statement of imputations of misconduct in support of Article of Charges framed against Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli.

The Vigilance & Enforcement Department vide their report No.32(C.No.685/V&E/E2/2013), dt.27-11-2014 has verified the works taken up under MGNREGS in plain areas of Visakhapatnam District from 26-11-2013 to 04-12-2013 and made the following observations for the following works:

Work No.1: Providing CC roads & drains at Tatituru

The work was technically sanctioned vide DR No.154/11-12, dt.31-01-2012 for Rs.25.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. Executed the CC pavement work without conducting Mix design for M-30 grade concrete resulted in poor quality of work.

ii. The strength of M15 grade concrete used for retaining and drain walls and M 30 grade for CC pavement is not satisfying the required strength criteria and hence liable for rejection. An amount of RS.4,95,499/- (Rs.419381+76118/-) and Rs.2,05,009/- is proposed as recovery towards substandard execution of work.

iii. The lesser utilization of cement in concrete works to an extent of 262 bags reflects the poor quality work executed by the field officers.

iv. A total amount of Rs.17.68 lakh was paid to the contractor Sri V.Ramesh Babu, Bheemunipatnam who executed the work. Though the purchase bills were shown in the name of Gram Panchayat, the payment was done by the contractor indicating that all the materials were purchased by Sri V.Ramesh Babu. As such issuing the bills in the name of Grampanchayat, Tatituru after making the payment by 3rd party is irregular.

v. The Executive Engineer, PRI, Visakhapatnam failed to check measure the work as per codal provisions and issued pass-order for release of payments without satisfying himself on either quality or mode of execution of the work.

Work No.2: Road from BN road to Gudilova

The work was technically sanctioned vide DR No.84/11-12, dt.20-01-2012 for Rs.15.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. The way of maintenance of muster rolls done by the field staff clearly shows that they are false and fabricated.

ii. Without conducting the laboratory tests and taking the test results for the materials, allowing for compaction of the earthen formation & GSB layers is not correct.

iii. The test reports revealed that the PI value of granular sub base sample at Km 1/063 is 17% against the specified value of below 6% indicates the non-conformity of gradation of the granular sub base. This is the result of having not mixed sand with the Gravel material during the execution. As such the reported recording of sand collection by the field staff is far from the truth. As The GSB layer in 2nd km is liable for rejection and an amount Rs.4,62,177/- is proposed as recovery.

iv. The oversize in metal on 63 mm sieve observed in 2nd km is found to be 31.49% which is beyond the tolerance limit of 80% and is liable for rejection. An amount of Rs.4,25,633/- is proposed as recovery.

(Contd...)

v. Negligence in recording the relevant certificates for light jungle clearance and thandoo's removal in the work M.Books clearly reflected the lethargic attitude and the work style of the field officers. The recording of similar measurements for light jungle and high berm cutting for the entire 2.00 km length of road is not feasible and practicable.

vi. Less recovery of Seigniorage fee of Rs.17,834/- is to be recovered from the work.

Work No.3:Road from Anantavaram-Alamanda, R&B road to Tunipolam

The work was technically sanctioned vide DR No.75/11-12, dt.12-01-2012 for Rs.25.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. As per the NREGS guidelines the maximum length of CD work to be executed is 6.00mt only where as the vented cause way constructed in this work stood around 25.00m length, costing Rs.9.60 lakhs against the total sanctioned cost of Rs.25.00 lakhs which is 38% of sanctioned value.

ii. The strength of M 30 grade for CC causeway is not satisfying the required strength criteria and hence liable for rejection. An amount of Rs.1,41,428/- is proposed as recovery.

iii. Cement purchase bills were observed to be fake and fabricated. The Executive Engineer, PRI, Visakhapatnam passed the bills without proper scrutiny of the vouchers & bills.

iv. The type of discrepancies in the muster rolls indicate that the musters were not taken in the field as supposed to be and are take and fabricated.

v. It is clearly evident that the field officers are getting the works done through the regular contractor under the guise of supply of materials and skilled labour to the works which is not correct.

vi. The Executive Engineer, PRI, Visakhapatnam failed to check measure the work as per codal provisions and issued pass order for release of payment without ensuring the quality of work executed.

Recovery proposed

Name & Designation	Name of the work	Item proposed for recovery	Recovery Amount (Rs.)
R.K.Bhaskar	Providing CC roads & Drains at Tatituru	Rejection of M15 grade concrete retaining wall	4,19,381
		Rejection of M15 grade concrete for drain	76,118
		Rejection of M30 grade concrete for CC pavement	2,05,009
		Sub-Total	**7,00,508**
	Road from BN road to Gudilova	Rejection of GSB for high plasticity index value	4,62,117
		Rejection of WBM grade II layer	4,25,633
		Sub-Total	**8,87,750**
	Road from Anantavaram-Alamanda R&B road to Tunipolam	Rejection of M30 grade concrete for CC pavement	1,41,428
		Grand Total	**17,29,746**

(Contd.....)

The individual has deviated the office procedure for his personal gain and allowed the following in violation of APCS rules.

i. Check measured inferior quality of items without conducting any quality checks causing revenue loss of Rs.17,29,746/- to the Government exchequer.

ii. Forwarded fabricated musters & purchase bills for payment without scrutiny

iii. Allowed contractors in execution of NREGS works

By his above mentioned act, Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – III

List of documents by which the articles of charges framed against Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli are proposed to be sustained.

1. Vigilance Report No.32 (C.No.685/V&E/E2/2013), dt.27-11-2014 of Vigilance & Enforcement Department.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – IV

List of witnesses by whom the articles of charges framed against Sri R.K.Bhaskar, Deputy Executive Engineer, PRI Division, Anakapalli are proposed to be sustained.

-NIL-

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER